

## UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Mashichique Earl S.M. Burley Ponca Tribe of Indians  
sui juris

Case No. \_\_\_\_\_

(to be filled in by the Clerk's Office)

*Plaintiff(s)**(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-v-

Jury Trial: (check one) ☐ Yes ☒ NoDistrict Court of Massachusetts District Court Woburn  
MK Realty Trust dba Lord Baron Apartments*Defendant(s)**(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*FILED  
IN CLERKS OFFICE  
2022 APR -1 PM 3:47  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

## COMPLAINT FOR A CIVIL CASE

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Mashichique Earl S.M. Burley Ponca Tribe of Indians
Street Address	8 Baron Park Lane #2
City and County	Burlington
State and Zip Code	Massachusetts 01803
Telephone Number	781-884-7480
E-mail Address	migatoga78@gmail.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name	District Court of Massachusetts - Woburn
Job or Title <i>(if known)</i>	
Street Address	30 Pleasant Street
City and County	Woburn Middlesex
State and Zip Code	Massachusetts 01801
Telephone Number	781-935-4000 X 271
E-mail Address <i>(if known)</i>	

## Defendant No. 2

Name	MK Realty Trust dba Lord Baron Apartments
Job or Title <i>(if known)</i>	
Street Address	8 Baron Park Lane #24
City and County	Burlington Middlesex
State and Zip Code	Massachusetts 01803
Telephone Number	781-272-1897
E-mail Address <i>(if known)</i>	

## Defendant No. 3

Name	Joseph R. Leone
Job or Title <i>(if known)</i>	Attorney
Street Address	1101 Worcester Road
City and County	Framingham
State and Zip Code	Massachusetts 01701
Telephone Number	508-820-8700
E-mail Address <i>(if known)</i>	jleone@leonelawoffices.com

## Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Article VI Constitution: "treaties are supreme law of the land." I hold February 8, 1878 Treaty and Certified Title; affirmed as such by U.S. Justice Department during proceedings at U.S. Court of Federal Claims December, 2018.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_.

**b. If the plaintiff is a corporation**

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

**2. The Defendant(s)****a. If the defendant is an individual**

The defendant, *(name)* \_\_\_\_\_, is a citizen of the State of *(name)* \_\_\_\_\_. Or is a citizen of *(foreign nation)* \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under the laws of the State of (name) \_\_\_\_\_, and has its principal place of business in the State of (name) \_\_\_\_\_.

Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because *(explain)*:  
n/a

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I am man, Lineal Hereditary Chief and Treaty Holder of Ponca Nation, recognized in multiple ratified treaties as Ponca Tribe of Indians. My status affords me sovereign immunity which I invoke; Relief sought is to have Judgement of Woburn Court Vacated for lack of personum and lack of subject matter jurisdiction and for violation of 1878 treaty as parties have been shown self-executing document that is law. Defendants advanced unfriendly action against Lineal Hereditary Chief and U.S. Treaty Holder Mashichique Earl S.M. Burley Ponca Tribe of Indians under color of law without jurisdiction.

### IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Judgement of Woburn Court Docket #2253SU000015 shall be Vactated.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 03/31/2022

Signature of Plaintiff

Printed Name of Plaintiff Mashichique Earl S.M. Burley

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney \_\_\_\_\_

Printed Name of Attorney \_\_\_\_\_

Bar Number \_\_\_\_\_

Name of Law Firm \_\_\_\_\_

Street Address \_\_\_\_\_

State and Zip Code \_\_\_\_\_

Telephone Number \_\_\_\_\_

E-mail Address \_\_\_\_\_